

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

**Criminal No. RDB-19-438**

v.

\*

**JAMIE CLEMONS**

\*

**Defendant.**

\*

\* \* \* \* \*

**MOTION FOR EXTENSION OF TIME TO RESPOND  
TO DEFENDANT’S PETITION TO VACATE, SET ASIDE, OR CORRECT A  
SENTENCE**

The United States of America respectfully requests an additional 45 days to respond to the Defendant’s Petition to vacate, set aside, or correct a sentence, under 28 U.S.C. § 2255, and states as follows:

1. On May 4, 2023, the Defendant, pro se, filed a petition to vacate, set aside, or correct a sentence, under 28 U.S.C. § 2255. ECF No. 191. On May 10, 2023, the Court entered an Order directing the United States to respond to the Defendant’s motion within 60 days. ECF No. 192. On July 12, 2023, the Defendant moved to amend his Section 2255 petition. ECF No. 195. On August 9, 2023, the Court granted the motion to amend and ordered the government to respond within 60 days. ECF No. 196. On October 12, 2023 the Defendant filed a “Motion for Summary Judgement,” ECF No. 197, and on November 30, 2023, the Defendant filed another supplement to his Section 2255 petition, fashioned as a “Request for Sanctions.” ECF No. 198.

2. Undersigned counsel entered his appearance in this case in January 2024, and on January 29, 2024, the Government moved for a 45-day extension to respond to the Defendant’s petition and associated motions. ECF No. 200. The Court granted the motion, extending the deadline to respond to March 14, 2024. ECF No. 201.

3. The record of the case is voluminous with a lengthy procedural history. The Defendant's primary arguments in his Section 2255 petition relate to the Court's ruling on the admission of evidence under Federal Rule of Evidence 404(b) and whether the Defendant's plea was knowing and voluntary. *See* ECF No. 191.

4. Accordingly, Government counsel believes it is necessary to review the transcript from the November 3 2020 motions hearing where the Court ruled on the admissibility of the evidence, ECF No. 77, and the Defendant's April 6, 2021 arraignment where he entered a guilty plea, ECF No. 166.

5. Undersigned counsel respectfully requests an additional 21 days to file a response brief to allow sufficient time for the court reporter to prepare the transcripts and for Government counsel to review.

6. Counsel also requests an extension in light of counsel's current workload and his responsibilities in on-going cases and investigations.

7. The Defendant is incarcerated and filed his motion *pro se*. The United States is unable to determine whether the Defendant consents or objects to this request.

8. A proposed Order is attached for the Court's convenience.

**WHEREFORE**, the United States respectfully requests the Court grant this Motion and extend the deadline for the government to file a Response to the Defendant's motion pursuant to Section 2255 to April 4, 2024.

Respectfully submitted,

Erek L. Barron  
United States Attorney

By: /s/ Ari Evans  
Ari Evans  
Assistant United States Attorney

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Dated: March 13, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that on March 13, 2024, a copy of the foregoing Motion for Extension of Time was filed by CM/ECF and on March 14, 2024 it will be served by first-class, postage prepaid mail to:

Jamie Clemons, #64965-037  
FCI Cumberland  
Federal Correctional Institution  
14601 Burbridge Road SE  
Cumberland, MD 21502

\_\_\_\_\_/s/\_\_\_\_\_  
Ari Evans  
Assistant United States Attorney

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\* \* \* \* \*

**ORDER**

Having considered the government's motion for extension of time, the Court concludes that there is good cause to grant an extension. IT IS HEREBY ORDERED that:

- a. The motion is GRANTED;
- b. The government shall have until April 4, 2024 to file its response to Defendant's petition to vacate, set aside, or correct a sentence, under 28 U.S.C. § 2255; and
- c. The Clerk's Office is directed to mail a copy of this Order to the Defendant.

It is so ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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The Honorable Richard D. Bennett  
United States District Judge